

K. England, Realm of 10th

A
VINDICATION
OF THE
REALM,
AND
Church of *England*,

From the Charge of
Perjury, Rebellion & Schism,

Unjustly laid upon them by the

NON-JURORS:

And the REBELLION and SCHISM
shewn to lie at their own Doors.

L O N D O N:

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OF THE
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From the Charge of

Perjury, Rebellion, and Schism, &c.



THOSE who charge Others with Great and Odious Crimes, ought to be well assured that they have very plain and full Proofs, to support their Allegations. *Perjury* and *Rebellion* are such heinous Sins, that even a *single Person* should not lightly be supposed capable of committing them. But to accuse a whole

Kingdom of such Crimes as these; to represent so many Thousands of their Brethren, in nothing worse than themselves, as *Rebels* and *Traytors*; and upon the Presumption thereof, to *Unchurch* a *National Church*; and condemn all Those who Communicate with Her *Bishops* and *Priests*, as *Schismaticks* from the *true Church of Christ*: This has somewhat in it so shocking to Human Nature, that Those who do it, must either have such evident Demonstrations of the Truth of what they alledge, as cannot fairly be Gainsay'd: Or they must be confessed to be the most Uncharitable, and Unjust of Men, in fixing upon Us so scandalous a Charge, and which they are not able to make Good.

What Grounds Those who thus accuse Us, have for the hard Censures which they have thought fit to pass upon Us, I shall presently consider: Let me only first observe, that as no sort of Men have been more liberal of their false Accusations of Us, nor have more furiously pronounced their Anathema's against Us, as *Schismaticks* and *Hereticks*, than Those of the *Church of Rome*; so I heartily wish that These our Accusers, who have shewn but too great an Inclination to approach towards that *Church* in Other Matters, had not been a little infected by them in this sort of Carriage towards us; and learn'd too much, both of their Language and Disposition, either for their own Justification, or our Peace.

But as in the Case of the *Church of Rome*, there is nothing more clear, than that They who so confidently charge Us with *Heresy* and *Schism*, are in the very Instances in which they accuse Us, Themselves apparently Guilty of Both: So I verily believe it will in the Sequel appear, that those among our selves, who do so freely Tax Us with *Schism* and

and *Rebellion*, are indeed themselves the true *Rebels* and *Schismatics* : And then I shall leave them to read their own Doom, in those severe Sentences they have so rashly pronounced against Us.

To make good this Suggestion, tho' the Case of Those who now take the *Oaths* to the *present Government*, and Communicate with the *Bishops* and *Clergy* who do the same, and are in possession of the *Dioceses* and *Churches* of this Realm, is very different from *Theirs* who first did this, at the time of the *Revolution* : Yet that nothing may be wanting to shew the Rashness of Those Enemies of our Country and Religion, who, upon these Pretences would Justify their *Separation* from Us ; I shall take the Subject from the Beginning, and briefly consider the Case of the REVOLUTION, with all the Consequences of it, under these Three Views ; as JUSTIFYABLE ; as DOUBTFUL ; as UNLAWFUL : And that, in its *Beginning*, *Establishment*, and *Continuance*, to the Accession of his present Sacred Majesty, King GEORGE, to the Throne of this Kingdom.

And 1st, If the *Revolution* was *Justifiable* ; if nothing was done, I do not say by any *particular Persons* (that is not my Concern) but by the *Body* of the *Realm*, but what was *Lawful* and *Necessary* ; Agreeable both to the *Laws* of *Nations*, and to the *Nature* of our *own Legal Constitution* ; then I conceive, that they who submitted to the Authority of our Glorious Deliverer King WILLIAM, and took the *Oaths* prescribed to Him ; were so far from doing any Thing amiss, that it was indeed their Duty to do it : And that Those who, rather than do this, Chose to forfeit their *Preferments* in the *Church*, (to speak the softest of them) must have been greatly mistaken ; and would do well to consider

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der, how They will be able to Answer to God for all the Evil they have brought upon this *Church and Nation*, by such their Behaviour.

Here therefore let us take a View of our Circumstances as they stood at the time when King *WILLIAM* came over; and by the Force he brought with him, and the little Inclination he met with in any to oppose Him, Accomplish'd that great Change which we call the *Revolution*.

No sooner was King *JAMES* come to the Crown, but one of the first Things he did, was to own his Religion; the unhappy Ground of all our Misfortunes. The Duke of *Monmouth* landing, not long after, in the *West*, and the King being obliged to raise new Forces to Oppose his Invasion, many Commissions were given out by Him to *Papists*, to command in his Army. This, tho' directly contrary to the *Test Act*, was yet but gently Censured; and imputed rather to the Necessity of the Times, than to any fix'd Resolution taken by the King, to Repeal an *Act of Parliament* by his own Authority; which, in the Consequence of it, would be the Violation of our *Fundamental Constitution*; by virtue whereof the King alone, without his *Parliament*, can neither Make, nor Repeal, any *Laws* whatsoever. But when the *Parliament* met in *November* following; and the King in his *Speech* to both *Houses* declared, that He was resolved to continue those Officers in their Posts, tho' unqualify'd by Law to hold them; when, upon the *Commons* Remonstrance; "That those Officers could not by Law be capable of their Employments; nor could the Incapacities They had brought upon Themselves by the Execution of them be any otherwise taken off than by Act of Parliament, which they accordingly were preparing a Bill to do; praying, in the mean time, that the King

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would dismiss them from their Places, for this express Reason, "That the continuing them in their Employments would be a Dispensing with that (Test) Law, without an Act of Parliament; the Consequence of which was of the greatest Concern to all His Majesty's Subjects, and to all the Laws made for the Security of our Religion": All the Return They met with, was a Reprimand, instead of a Redress; and within a few Days after, a Prorogation was made of the Parliament, rather than the King would depart from that Dispensing Power which He had Illegally Usurped: When Lastly, to settle this Arbitrary and Illegal Authority, He caused His Judges to declare, "That the Laws of the Kingdom were the King's Laws; That he might dispense with all Penal Laws as often as Necessity required; And that They were Judges of the Necessity which might induce Him to make Use of such Dispensations"; It plainly appeared, that He had set his Resolution to introduce an Arbitrary Power; and, in consequence thereof, to destroy the fundamental Limitation of the English Monarchy; that Constitution which at His Coronation He had Sworn, and was from His first Accession to the Crown, otherwise bound to preserve.

In pursuance of this Resolution; first an Ecclesiastical Commission was Establish'd, in contradiction to Law, to keep the Clergy in Awe; and the Bishop of London was in a little time, in a very Arbitrary Manner, Suspended by vertue of it. Next, an insidious Declaration for Liberty of Conscience was set forth, in which among other Things it was Ordered, that Those Tests (Establish'd by Act of Parliament) should not at any time hereafter be required to be taken, or subscribed by any Person whatsoever". The Lord Tyrconnel, a Papist, and an Irishman, and upon

upon both Accounts legally Unqualified for that Office, was made the *Chief Governor of Ireland*. Lord *Castlemain*, another Papist, was sent Ambassador to *Rome*: The Pope's *Nuncio* was openly received: Sir R. *Allibone*, a Papist, was seated as a Judge in the *King's-Bench*; and Father *Peters*, a Jesuit, and Confessor to the King, was openly made a *Privy Counsellor*. The Declaration for *Liberty of Conscience*, contrary to Law, was again renewed, and now ordered to be Read in all the Churches of the Kingdom. The Archbishop of *Canterbury*, and Six of the Bishops, only for representing in an humble Petition to the King, the Unlawfulness of their complying with this Command, were committed to the Tower, and brought to their Tryal in *Westminster-Hall*, for *Highb Crimes and Misdemeanors*. In the University of *Oxford* Massey was made Dean of *Christ-Church*, and commanded to be admitted without taking the *Legal Oaths*. By Him a Chapel was prepared in that College for Publick Mass; and honoured with the King's OWN Presence. *Magdalene-College* was fill'd with Papists. And that *Cambridge* might not escape any better than *Oxford*, Father *Francis* was required to be there admitted a *Master of Arts*, without taking the usual Oaths; any Law or Statute to the contrary notwithstanding. For refusal hereof, the *Vice-Chancellor* was deprived of his Office, by the new Ecclesiastical Commissioners; and Suspended, as to his *Headship, ab Officio & Beneficio*. These were all direct Invasions of our *Legal Constitution*, and done in defiance of our *Laws*, by an Arbitrary Power of suspending Them.

'Tis true, when the King saw his Affairs in a dangerous Estate, His People discontented, and the Prince of *Orange* just ready to set Sail with an armed Force against Him; He began to change his Measures,

Measures, and seemed inclined to give his Subjects Satisfaction. He re-called his *Ecclesiastical Commission*; but He never own'd it was *Unlawful*. He order'd the *President* and *Fellows* of *Magdalen-College*, who had been turn'd out by his *Commissioners*, to be Restored by their *Visitor*; but without any Security, that They should not be turn'd out again upon the first Occasion. Nay, to shew that He continued in the same obstinate Resolution to Rule according to his Own Will; no sooner did He hear that the *Dutch Fleet* was driven back, and not like to put to Sea any more that Year, but He immediately stopp'd the *Visitor*, and forbad the Execution of his own Order; till the Fleet being ready to set Sail again, He a Second time Directed, or rather Permitted, it to be Obey'd.

But the great Stroke of all which was made of our Rights and Liberties, and without which the rest (however great and terrible in themselves) could have been of no long Duration, was the Resolution taken to have a *Prince of Wales*; to perpetuate our Misfortunes; and to continue Us under that Tyranny of *Popery*, and *Arbitrary Power*, to which we were condemned.

Whether the Child pretended to have been born upon *Trinity-Sunday*; after a known Miscarriage of the *Queen's* upon *Easter-Monday*, was a real, or a supposititious Birth, I shall not undertake to say. But by the whole Management of that Affair it appeared, That they were resolved to have not only a *Child*, but a *Son*: And therefore would not trust any-body, but such as they had before made sure of, to know which it was: Or indeed, whether any Child was born at all. And

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though, besides several Others who were in the Chamber at the time of the *Queen's Delivery*, and knew no more of what passed there, than the *Princess of Orange*, who was in *Holland*, or the *Princess of Denmark*, who was at the *Bath*; the *King's Physicians* were required to be present; and though the Child was pretended to have been strangled in the Birth, and a good deal of Time was taken to bring him to Life, yet not One of them was suffered to go into the *Mystical Closet* by the Bedside, to offer any Advice, or Help, in that Case; nor did they know what had pass'd there, 'till all was ready, and a Child was brought forth, and shewn for a *Prince of Wales*.

It would not perhaps be difficult, were it needful, to prove, that that *first Child*, whatever it was, died the *same Night*; as the *Second* did the Fifth of *August* following. But the *Prince of Orange* being satisfied that He had now a just ground, in Right of his Wife, to demand a clear Satisfaction in this Matter, resolved to come over with a sufficient Force to Secure Himself, and to Oblige the King to Do both Him, and the Nation Justice.

What the Result of this was, we all know: Upon the *Prince's* Landing at *Torbay*, the *King's* own *Army* deserted Him: Many from all the Neighbouring Countries went in to the Prince. In divers other Parts of the Kingdom, the Nobility and Gentry rose up in Arms, resolving to join with the Prince for the Recovery of their Legal Rights, and the Security both of their Liberties and Religion. And, to her immortal Honour let me speak it, the *Princess of Denmark* Her self joined some of These; and was conducted by
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and Church of ENGLAND. II

an armed Force, commanded by the then Lord *Bishop of London*, to *Oxford*, to meet the *Prince*; Declaring thereby, that she had more Regard to the *Honour of God*, the *Security of the Church* by *Law Establish'd*, and the *Freedom of Her Native Country*, than to any ties of *Nature*, which might stand in Competition with them.

Gladly were they received by that Learned, and well Affected Body: Who not only join'd in an *Association* with Those who were in Arms; but invited the *Prince of Orange* to make their *University* his *Head Quarters*; and offered Him their *Plate* too, if He had wanted it, to pay his Army.

Enforced by the Progress of the *Prince*, and Defection of his People, the *King* began to treat about Terms of Peace. The *Prince*, from *Hungerford*, sent him some very moderate Demands; *That the Law should take Place every-where*: *That a free Parliament should be called*: *That neither Army should come within Thirty Miles of London*: And *that a branch of the Revenue should be assigned to pay his Troops*. So far was either that *Prince*, or Those of the Nation, who then join'd with him, from aiming at any Thing more than to reduce the *King* to a legal Method of Government, and to secure the Kingdom against the wicked Designs which his *Priests* and *Jesuits*, concurring with the Policy of the *French Court*, had formed for the Ruin of it.

The *King* either had not yet attained to such a Degree of Assurance in Owning his true Designs, as Openly to refuse such equitable Demands; or his Circumstances, at that Time, would not suffer him to do it. He agreed to what the *Prince*

proposed; and all good Men began to hope that this Affair would take a happy Turn, and end in a fair Accommodation between Them. But the contrary soon appeared: For instead of abiding by a free Parliamentary Enquiry into, and Settlement of the Affairs of the Realm; the King first sent away the *Queen*, and her supposed *Child*, into *France*, and then resolv'd to follow Himself: And, that the Kingdom might be left in the utmost Confusion, determin'd not to appoint any *Regent*; nor to leave any *Commission* for any to *Execute* the *Regal Power* in his Absence. And therefore, having first thrown the *Great Seal* into the *Thames*; He next endeavour'd to Escape privately from *Faversham*; where being accidentally taken, and brought back to *Whitehall*, with all the respect due to his Character; He was yet so fix'd in his Mind to *Desert* the *Government*, as well as to quit the Nation, that for fear of another Stop, He found means to procure a Pass, to prevent his being Seized a second Time, and forced to return again to his Government; which he evidently resolv'd rather to throw up altogether, than Not to Govern in his own way.

The Nation being thus forsaken by its *King*, and no *Legal Government* left in it; was forced to provide as well as it could for its own Safety. The *Lords*, who in right of their Peerage, are upon all Occasions the *Great Council* of the *Realm*, met immediately at *Guildhall London*. There they agreed upon a *Declaration*, in which They profess'd their Resolution to apply Themselves to the Prince of *Orange*, "*Who with so great Kindness to these Kingdoms (they are their*
" own

own Words) “ *so vast Expence, and so much Hazard, had undertaken, by endeavouring to procure a Free Parliament, to rescue us from the imminent Dangers of Popery and Slavery; and to Assist Him with their utmost Endeavours to obtain such a Parliament; wherein our Laws, our Liberties, and Properties might be secured: the Church of England in particular, with a due Liberty to Protestant Dissenters; and in general, the Protestant Religion, and Interest, over the whole World, might be Supported and Encouraged: And promised that, in the mean time, They would endeavour to Preserve, as much as in Them lay, the Peace and Security of the great and populous Cities of London and Westminster, and Parts adjacent; by taking care to Disarm all Papists, and to secure all Jesuits and Romish Priests, who were in, or about the same*”. This Declaration was drawn by Archbishop Sancroft, and Subscribed not only by him, but by the Bishops of Winchester, Ely, Rochester, Peterburgh, and some others of that Order; and was by One of Them, the Bishop of Ely, carried to the Prince in the Names of the Rest. The Prince soon came to London: And King JAMES having, as was before Observed, a second time Deserted the Government, and now quitted the Realm altogether, He took upon Him the Administration of it, as He had been desired both by the Lords, and Commons, to Do. And the better to bring the Nation to a Legal Settlement, directed the Lords, with the Parliamentary Commons, chosen for that Purpose, to meet together at Westminster in a Convention, there to Consider, and Resolve, what they had to do. They met; They considered the State of the Nation: They declared King James’s Going off, in such a
Manner

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Manner as I have now shewn, to be an *Abdication* of the *Government*. That, by such his *Abdication*, the *Throne was become Vacant*: And in the Name of *Themselves*, and of the *Kingdom*, by whom they were Chosen, and for whom they Acted; They fill'd up the Vacant Throne with those who stood the nearest in the Lineal Succession to it, and had the best Right of any to demand it, viz. King *WILLIAM* and Queen *MARY*: The One the *Eldest Daughter* of the late King; the other His *Nephew*; and first of any in Blood except the *Princess* of *Denmark*, who gave Her Consent to this Establishment.

And now, let me freely ask any impartial Person; What Iniquity can justly be charged upon Those who concurr'd in this Great Affair?

The *Prince of Orange* was a foreign Prince; no Subject of King *James*. He had a great Interest in the Welfare of the *Realm*, as well as a near Right in the Succession to the *Imperial Crown* of it. And if he thought himself obliged, upon both these Accounts, to force that *King* to give both Himself, and the Nation satisfaction; I do not see but that He very lawfully might do it, and ought not to be blamed for the Method he took to accomplish it. What is in the Heart of Man We neither can Judge, nor ought easily to suppose. His open Professions were, to assist an *Oppressed Nation* in the Recovery of its *Legal Rights*; to secure the *Establish'd Religion* against *Popish Superstition* and *Idolatry*; and to have a proper Assurance given him, that He should have no foul Play in the Business of the *Succession*, to which the *Princess*, his Wife, had so fair a Claim. And who can say that in this He did not act as became a wise, and brave Prince; a Friend to Liberty,

ty, and a worthy Defender of the *Reformed Religion* Establish'd among Us? I am sure Archbishop *Sancroft*, and his *Suffragans*, when the most press'd by King *James*, would not be prevail'd with to declare their Abhorrence of it.

As for Those among our selves who refused to Oppose the Prince; who sate still, and only wished well to this good Design, but were tender of acting one way or other; They cannot surely be blamed: Unless what was a Sin in that Prince to Attempt, I mean to Rule contrary both to the *Laws* of the *Land*, and his *own Oath*, was so far a Duty in the People to comply with, as to oblige them to joyn their Force with a perjured Prince; to assist Him against their own Deliverer; and to hinder him from being obliged to observe his Oath hereafter; and to Govern his Subjects with Justice, and Equity.

Nor, indeed, can I condemn Those, who having no other View but meerly to reduce the King to reason; and to Oppose those *Un-Commission'd*, and *Un-Commissionable Forces*, which He had raised to enable Himself to accomplish his wicked Ends of Overthrowing both the Religion, and Liberties of the Nation; not to touch the *Person* of the King, or to Deprive Him of his *Legal Power*, and *Authority*, (which it does not appear that Those who either rose in favour of the Prince of Orange, or went in to Him, design'd to do,) *took up Arms* upon that extraordinary Occasion. Every body allows it to be lawful to withstand an Unjust Violence and Oppression: And every body knows that those who pretend to be *Commission'd* by the King to do any *Illegal Act*, are indeed, in the Eye of the Law, not *Commission'd* at all. That therefore to Oppose such Persons,

sons, who have only the *Name* of a *Commission*, but have truly none at all ; and not submit to their Unjust Attempts, must be *Lawful*, is certain : As *Lawful*, as it would be to Resist a Band of *Robbers*, or *Banditti* ; who have every whit as much Legal Authority to Rob, Plunder, and cut Throats, as such Officers, or Soldiers, to *Oppress* any *English Subject*, contrary to the *Laws of the Realm* ; which are the Measure of the *Prince's Power*, as well as the Directors of the *Subjects Duty*.

But in the present Case, there is yet less Difficulty : Those who rose when the *Prince* landed, did nothing. Their Numbers, and the Readiness which they shew'd to have Assisted Him, if there had been Occasion, happily kept all quiet ; and Determined the *King* to take the safe, but ignominious Resolution, of Running away out of his Kingdom ; as not daring boldly to defend, what he had unjustly Attempted.

The only *Question* that I can imagine to have any Doubt in it, is ; Whether King *JAMES's* going off in such a Manner as He did, was in Truth an *Abdication of the Government* ? I do not say, Whether *He meant to Abdicate it* ? That is not the Question : But, whatever *he meant*, Whether it was not really so in the *Eye of the Law* ? And whether Those of the *Convention* who declared it so to be, had not good Grounds for such their *Opinion*, and *Resolution* ?

Now this is none of my Concern to determine ; nor were the People, at that time, any more concerned in it. Their *Representatives*, whose proper Business it was, with the *Lords*, determin'd the Point for them : And either such Matters must never be Resolved at all, or it must be granted that the
Nation

Nation ought to have been, as it was, concluded by their Determination. But, if what all Writers agree in; be true, That a Prince may *Abdicate* by *Actions*, as well as by *Words*; nay, by *Actions against Words*; (for a *Protestation* against *Fact* is of *no Force*) I would then be glad to know, and shall leave it to the Conscience of Mankind to judge, Whether any plainer Evidence could have been given by any Prince of his Dereliction of the Government, than King *JAMES* did here give. He disbanded his *Army*: He burnt the *Parliament Writs* which he had sealed in order to the Meeting of that *Parliament*, which was both to have settled the Nation, and to have secured his Own Throne: He threw away the *Great Seal*, the main Source of all the Legal Administration: He ran away privately from his own Servants, after he had sent the *Queen*, and her pretended *Son*, into *France*: Being brought back the first time to his Palace, he soon after chose to go to *Rocheſter*, on purpose that he might the more easily slip out of the Kingdom. He forsook the Realm, and left no manner of *Commission* with any body, to Administer the *Government* in his *Name*: And, if what was then commonly reported, and I believe truly, may be added; He did all this by the Advice of the *French Ambassador*, on purpose to leave the *Kingdom* in Confusion; and with an Opinion, that We should never be able to agree upon the Settlement of it; but should be obliged, in a little time, to send for him back, and to Receive him again upon his own Terms.

This King *JAMES*, in *Fact*, did: And this all Those who have written upon these Subjects, affirm to amount to an *Abdication*. And it is not denied, but that an *Abdication* does certainly deprive any Prince of his Authority. So the *Polanders* resolved

in the Case of *Henry the Third of France*; who upon the News of his Brother *Charles the IXth*'s Death, running away privately from *Cracow*, in like manner as King *JAMES* did from *Rocheſter*, was adjudged to have thereby *Abdicated* the *Royal Dignity*; and They accordingly declared the *Throne* thereupon to be *Vacant*, and proceeded to fill it up, as our *Convention* did.

Having ſaid thus much in Vindication of the *Revolution* itſelf; which, for theſe Reaſons, I conceive to be fairly *Juſtifiable*; (I am ſure they muſt ſuffice abundantly to ſhew, that Thoſe who acted upon theſe Principles, as believing them to be Right, ought not to be branded with the Odious Names of *Rebels*, and *Traytors*; of *Perjured Perſons*, and the like.)----- I now proceed to Conſider this Caſe under a lower View, and to Suppoſe what was done at the *Revolution* to have been DOUBTFUL; I do not mean as to what concerns the *Prince of Orange*'s Coming hither to reſcue this Nation from the Arbitrary Government of King *JAMES*, and to demand Satisfaction in what He had himſelf, by His *Princeſs*, a Right to; For that I take to have been without doubt *Lawful*: No nor yet as to Thoſe who, as I before ſtated it, appeared in Arms to have Supported the *Prince* in his juſt Demands, ſhould the *King* have made Uſe of any *Unjuſt*, and *Illegal*, Force, to have Oppoſed Him withal; for that alſo I conceive to be as plainly *Lawful*; whiſt nothing was done to *Deprive* the *King* of his *Crown*, or *Legal Prerogative*; but merely to Reduce the Unlawful Extent of it, to the juſt Bounds of our Laws, and Conſtitution. The only Point in which any *Doubt* can be ſuppoſed, muſt be in what was afterwards done by the *Convention*; ---Whether King *JAMES*'s Conduct, after the

the Prince was landed, and had entred upon a Treaty with Him; and it was agreed between them to refer all Matters to the Judgment of a Free Parliament; in cutting off all Possibility of *Assembling* such a Parliament, in *Disbanding* his Army, and *Running* out of the Kingdom, without leaving Authority for any one to Execute the Regal Power in his Absence, did amount to an *Abdication*; as the Lords, and Commons, in their Convention, declared it to have done; So that they were at liberty to put King WILLIAM, and Queen MARY, into the Throne? Now supposing this to have been DOUBTFUL, yet still I affirm, that this being done by Them, the People were Obligated to acquiesce in it; and to Submit to the Persons so Recognized by that Convention, as King, and Queen.

And this brings the whole Matter in debate to its proper Issue. Of those who either Came over with the Prince, or Appeared in Arms on his Side; Or even Voted, as Members of that Convention, that K. JAMES's Flight was an *Abdication*; and that thereby the Throne was become *Vacant*; and Decreed to fill it with King WILLIAM and Queen MARY; not many are living; and for Those that are, their Case is particular. If they did any thing Amis, let Them look to it; They are to Answer to God for what they did. All that the Body of the Nation was then concerned to be satisfied in, was; Whether, be the Revolution, in that respect, Justifiable, or not; yet when once the King and Queen were Proclaimed by Order of the Convention, and Received and Recognized by the Generality of the People; were Crown'd with the Imperial Crown of this Realm; and Invested with all the other Regalia that any of our Kings, or Queens, have been wont to be Consecrated,

ted, or *Invested* withal; It did not from thenceforth become the Duty of every *English Subject* to Submit to them as *King* and *Queen*; and to take the *Oaths* prescribed by Law, for the better Assurance of his Faith, and true Allegiance to Them?

Now This is a *Question* which, if Those who best understand our Laws, may be Judges, admits of no Dispute: Both our *Common*, and *Statute Law*, agreeing in this Point, as the Basis and Foundation of all our *Legal Obedience*; that, by the *King*, in all our Laws, we are to understand the *King who is in Possession of the Government*; tho' at the same time there should chance to be some other Claimant, *out of Possession*, who, to appearance, had the better Right and Title to the *Crown*.

I might produce many Authorities in proof of this; But they have been so fully Collected to my Hand, and all the Exceptions made to them so clearly answered by Dr. *Higden* * (Himself for some Years a *Non-furor*, till convinced by those *Authorities*, and *Arguments*, He afterwards published:) that I shall chuse rather to refer my Reader to His Discourse, than enlarge upon so known a Truth. It may suffice to mention only the Words of my Lord *Coke* †, who had no Interest to serve by such an Exposition, but that he knew it to be the true Law of the Realm. P. 7. Where Expounding the Meaning of *Nostre Seigneur le Roy* in the *Statute* of the 25th *Edw. III. c. 2.* He affirms ‡, “*That this Act is to be understood of a King in Possession of the Crown*

* *View of the English Constitution.*

† *Instit. Part 3. Chap. 1.*

‡ See *View*, p. 81, &c. Chap. vi.

“ and Kingdom: For if there be a King Regnant in
 “ Possession, altho’ He be Rex de Facto et non de
 “ Jure, yet is He Seigneur Le Roy within the Par-
 “ view of this Statute: And the Other that has Right,
 “ and is Out of Possession, is not within this Act.
 “ Nay, if Treason be committed against a King de
 “ Facto, et non de Jure, after the King de Jure comes
 “ to the Crown, He shall punish the Treason done
 “ against the King de Facto; and a Pardon Granted
 “ by a King de Jure, that is not also de Facto, is
 “ Void - - -

Whatever doubt then there may be concerning the
 Abdication of King JAMES; and, in consequence
 thereof, the Forfeiture of his Right; there can be no
 doubt but that King WILLIAM and Queen MARY
 were Proclaimed King and Queen of this Realm;
 Were Crown’d as such; Were in Possession of the
 Government; Did Administer It; and Continued so
 to do to their Lives End. And therefore, by the
 Terms of our Law, and the Judgment given pur-
 suant to it for many Reigns past, They were the
 King and Queen to whom our Allegiance was due;
 and to whom we were bound (if required) to swear
 that Allegiance; Even tho’ we should suppose it to be
 doubtful whether King JAMES was not unjustly
 laid aside, and did not still Continue to have a Right
 to the Crown.

How far these Considerations did once appear to
 be Convincing to Some of Those, who afterwards
 went off to the Non-juring Party, I cannot tell: But
 in Justice to Our Selves, who are now so scanda-
 lously aspersed, as if we had no Ground for our
 Opinion; no Colour of Law, or Reason, whereby
 to Support our Submission to the present Govern-
 ment; I must here Observe, what many yet alive
 know

know to be true, that several of Them, (the very Heads and Leaders of the Party) were at the beginning of the same mind with Us, and Resolved to Submit, as We did, to Those whom the Providence of God had Set over Us.

Dr. *HICKES* was fully convinced of the Lawfulness of taking the *Oaths* to King *William* and Queen *Mary*. A Friend of his, still living, (who can justify the Truth of what I am relating) was with Him at *Worcester*, when he resolved to take Them; And in Order to his more Solemn taking of Them, determined to Go to *London*, and do it publickly There. His Friend, fearing what afterwards came to pass, would fain have persuaded Him to continue at *Worcester*. He suggested to Him the Danger of his being Assaulted by his Acquaintance at *London*, and brought off from his good Resolution. The Doctor was almost angry with him: He asked him whether he thought him such a Child, as not to know when he was satisfied of what he had to do; Or not to have Steadiness enough to act according to his Persuasion? Under this good Disposition the Doctor went up to *London*. His Friend met him upon the Road, and again Cautioned him of his Danger. He was still steady in his Purpose, and declared himself fully Convinced of his Duty to take the *Oaths*. But alas! when he came to Town, he was better Enlightned. He then saw that he had been mistaken; and from thenceforth not only refused to take the *Oaths* Himself, but set Himself at the Head of Those who refused to Take Them.

Dr. *KEN*, the late Bishop of *Bath* and *Wells*, went yet farther: He had not barely Satisfied Himself of the *Lawfulness* of taking the *Oaths*, but had prepared a *Treatise* to convince his Friends of the
Lawful-

Lawfulness of taking of Them. With this *Book* he went first to *Winchester*, to settle the Minds of his Acquaintance there; and from thence came on as far as *Lambeth*, with a full Resolution to take the *Oaths* Openly in the *House of Lords* the next Morning.

But some of his Friends Heard of it, and stopped him on the other side of the River; And from that time forward no One either more stiffly Refused them, or more severely Censured all others, Who took the *Oaths*, than this *Prelate* was wont to do.

One of Those who helped to work this happy Change in Him, is said to have been Dr. *TURNER*, the late Bishop of *Ely*. I am unwilling to believe, what has been confidently affirmed, as to the Accident that moved him to change his own Mind: Who when he carried the *Lords Declaration* to the *Prince of Orange*, seems to have had as little Scruple about the *Lawfulness* of the *Revolution*, as when (if Fame may be allow'd Sometimes to speak Truth) He by his *Letter* endeavoured to Satisfy the Princess concerning it. What hand he had in *Inviting the Prince over*, I dare not say. This is certain, and I shall leave it to the *Reader* to make his own Construction upon it, that when the *Dutch Fleet* was blown back the first time it put to Sea, and it was doubted whether the *Prince* would come that Season, He unfurnished *Ely-House*; slipp'd aside out of the way, and hid himself; for what Reasons it is not hard to Guess. But indeed the Readiness which this *Prelate* shew'd in the *Convention* to take from King *James* every thing but the mere *Name of a King*; His Distinction between a *Right to Govern*, which He would have left to Him, and the *Exercise of that Right*, which He would have had Him for ever divested of; may suffice to shew, that He could not
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have much disapproved the *Methods* that had been used to *Reduce* the *Exorbitant Power* of that Prince within somewhat more than its *Legal Bounds*. I shall transcribe only his concluding Sentence, at the *Conference* held between the *Lords* and *Commons*, about the *Abdication*: “ I hope, and am persuaded, “ *that both Lords and Commons do agree in this,* “ Not to break the Line of Succession, so as to “ make the Crown Elective. And if that be Declared, “ *that this Abdication of King James the Second, reacheth no farther than Himself; and that* “ *it is to Continue in the Right Line of Succession,* “ That I hope will make us All of One mind in this “ *important Affair.*

Nay even that good Man, Dr. *SANCROFT*, than whom no One was more forward to approve of the Prince's Undertaking, and to *promise his utmost Assistance to promote his Generous Intentions*; Who ventured to *Guild-Hall* at such an unseasonable Time of the Year, and Day, to meet the *Lords* there; and wrote the first Draught of their Declaration with His Own Hand; was within a very few Hours of being Reconciled to King *WILLIAM*'s Government. The Archbishop and Bishops were appointed to attend that Prince at Twelve a-Clock, to kiss his Hand. Had the King kept his Time, the Archbishop had come at the Head of the Bishops, and pay'd this first Instance of His Homage to Him: And it is more than probable would afterward have gone on to take the *Oaths*, and have kept his *Archbishoprick*. But the King was busy; He delayed the seeing of them till the Afternoon; and before that time came the good Man Changed His Mind; and could never afterwards be persuaded to wait upon his Majesty.

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I might mention some others of a *Lower Degree*, that were sometimes at least *dubious* Themselves what to do, tho' afterwards they fell so hardly upon their Brethren. But I will End these Reflections with the remarkable Saying of One who is thought to have been well acquainted with most of these Men, and to have known their Minds as much as any body; *If you will secure Them that the present Government shall stand but two Years to an End, I will secure you that they shall every One of them take the Oaths.* If this Gentleman had any good Reason for what he said, We then know what was at last the prevailing Motive with Them, that kept Them from taking the *Oaths* at the Time of the *Revolution*: And it should incline Us to excuse their present Severity against Us, considering both how unadvisedly they cheated Themselves out of their Preferments then; and how happily they have, by the blessing of God, been disappointed ever since, in their vain Expectations of Recovering Them.

I shall perhaps be censured for reviving the memory of what these Great Men of the Separation; Themselves heretofore both *Thought*, and *Did*, with relation to this Matter. But when we hear of nothing less than *Perjury* and *Rebellion*, laid to our Charge, and are represented to the World as a parcel of Self-condemned *Traytors*, not fit for *Human Society* here, and reserved for *Eternal Damnation* hereafter; 'tis time to put these bold Railers in mind that their Own *Chief Leaders* were once as fully Resolved to take the *Oaths* as Our Selves; and that 'tis much to be feared, they had some other Motives than that of Conscience, to hinder their taking Them,

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But that nothing may be wanting to convince all reasonable Persons of the Uncharitable Boldness of these long disappointed, and I doubt for that Reason the more enraged, *Accusers of their Brethren*; I will now proceed to my last Supposition; and a very strange one I confess it is, *Viz.* That the *Revolution*, and all that was done in bringing it about, was utterly UNLAWFUL; and *Those* who were concerned in it *Inexcusable*: Yet still, I affirm that it would be our Duty to *Submit* to the *present Government*, and to *take* those *Oaths* that are required by it.

It is now almost thirty Years since the Prince of *Orange* came hither, and was, upon King *JAMES's Abdication*, placed upon the Throne. By him, and his Parliament, divers Laws were made to Settle the *Succession* in that *Protestant Line* in which it has now so happily taken Place, by his present Majesty's coming to the Crown. Queen *MARY*, that most Excellent and Exemplary Princess, never to be mentioned without Honour by any who had the Happiness to know her Vertues, sat between five and six Years upon the Throne; and then died in Peace; and with a full Satisfaction of Conscience in what she had done: Tho' no Child ever more struggled with Her own Inclinations than she did, or would more gladly, had she dared, have preferred Her Duty to Her Father, to that which she ow'd to Her Country, Her Religion and Her God.

King *WILLIAM* Survived Her many Years: He reigned honourably thirteen Years, and died peaceably possess'd of the Throne to which he had been called: And has left a Name never to be

forgotten by any that love either the Liberty of their Country, or the Purity of their Religion.

Queen ANNE Succeeded him in his Crown and Vertues: She yet more *firmly settled* the *Protestant Succession*: And after a twelve Years Reign, the more part of it with the *greatest Honour* and *Esteem*, not only of Her *Own Nation*, but of all *Europe*, went down in the quiet Possession of the Throne, to Her Grave.

To Her Succeeded His *present Majesty*; and tho' he has met with much Opposition from a restless Party, never to be satisfied with any thing less than the Ruin of their Countrey, as all those other Princes had done before him; yet still He *Reigns*; and sees his *Throne* more firmly Established by the Vain Endeavours of His Enemies to Overthrow it: And we have now for *Eight and twenty Years* been taught, by many *Wonderful*, I had almost said *Miraculous*, *Deliverances*, that *the Hand of God is with Us*; and we trust will still continue to support that Settlement, which his Providence has so wonderfully Established among Us.

And here then let me ask any Reasonable Person: Has God the same *Power* now, that He heretofore asserted to Himself, in many places of the *Holy Scripture*, to make Use of the wicked Devices of Men, to bring about his Own wise and good Purposes? Is his Arm shortned; Or is his Authority less'n'd; that he either Cannot, or Ought not, if He sees fitting, to *Transfer a Kingdom* from *One Person*, or *Family*, to *Another*? To deny this were the worst of Blasphemy: To Own it, is to give up the Cause in hand. For, upon this supposition, (the hardest that can be put, and which, but for Argument sake, ought never to be allowed, with

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respect to the *Revolution*;) Let me once more ask; What if God for the Accomplishment of his own purposes; To preserve the *Reformed Religion* from Ruin, Or, it may be, to avenge the wicked *Apostacy* of the Sons of such an Excellent Father from it; thought good to suffer King *JAMES* to give such a just provocation as He did, not only to his *Own People*, but to the *Prince* of *Orange*, and to His *Al- lies*, abroad; as to move the One to Undertake, the Other to Support, the *Expedition* of that *Prince* against Him? What if, for the same Reasons, He suffered that Enterprize to prosper in his Hands? And to secure this Church, and Nation from *Popery* for ever, was pleased to translate the *Kingdom* from the *Popish*, to the *Protestant Branches* of the *STUART's* Family? Have we now any other way left us, whereby to know what the *Will of God* in such Cases is, but by the *Event*? Can these Censo- rious Disputers tell Us, How any People may be able more certainly to discover the designs of His Providence, than by Observing the wondrous Steps of it in such Extraordinary *Revolutions*? What Oc- casioned them? How they were brought about; How often, and signally, they have been Own'd, and Preserved, by his Hand, and his Power? I will venture to say, that He who has duly considered these things, for so long a space of time as is now past since the *Revolution*; and yet still continues to Oppose, and speak Evil, of an Establishment which God himself has appeared almost as plainly to ap- prove of, as if he had sent an Angel from Heaven to assure us of it; Ought to fear lest by such an Obstinate, Unrelenting, Opposition of what God has done, *He be found even to fight against God*; and to endeavour (vainly indeed, but yet neverthe- less

less wickedly) to *pull Him down Whom God has Exalted*, and we trust will continue to Support in the Honour and Power, to which he has Exalted Him.

Hence it is, that all Those who have written of these Matters, have I think unanimously agreed, that though a Government be set up by Sin and Rebellion, yet if once God so far declares Himself for it, as to suffer it to be *thoroughly Settled*, it is from henceforth our Duty to Submit to it; And even Rebellion in those who shall go about to Oppose it.

We have lately had one of the *Canons* of our Church Objected to Us, to prove all such as Obey the present Government, to be *ipso Facto Excommunicated*. Those *Canons* were made in the Year 1604. Now the very same *Convocation* was within Two Years after employed to draw up another Book of *Doctrine*, and *Canons* upon it, for the stronger Support of *Civil Government*: I hope it will not be doubted, but that those Persons must have known their Own Meaning, in the *Canons* which Themselves had framed so very little a While before. Let us hear therefore how they speak in the present Case, which is truly our Own; as it stands in the Copy of those *Canons* publish'd by their Own Archbishop *Sancroft* in 1689; soon after the Revolution. "When having
 "attain'd the Ungodly Desires (Whether Ambitious
 "Kings, by bringing any Country into Subjection; or
 "Disloyal Subjects, by their Rebellious Rising
 "against their Natural Sovereigns). They have
 "Establish'd any of the said degenerate Forms of
 "Government amongst their People; the Authority
 "either so unjustly Gotten, or wrung by Force
 from

“ *from the True and Lawful Possessor, being always*
 “ *God’s Authority (and therefore receiving no Im-*
 “ *peachment by the Wickedness of Those that have*
 “ *it) is ever (When any such Alterations are tho-*
 “ *roughly settled) to be Reverenced and Obeyed;*
 “ *And the People of all Sorts (as well of the*
 “ *Clergy, as of the Laity) are to be subject unto*
 “ *it, not only for Fear, but also for Conscience*
 “ *sake.” This is their Doctrine; and upon this*
 “ *Foundation they Decree pursuant to it Can. XXVIII.*
 “ *That, “ If any Man shall affirm, that when any*
 “ *such new Forms of Government begun by Re-*
 “ *bellion, are after thoroughly settled, the Au-*
 “ *thority in Them is not of God; Or that any*
 “ *who live within the Territories of such New*
 “ *Governments, are not bound to be Subject*
 “ *to God’s Authority, which is there executed,*
 “ *but may Rebel against the same, He doth*
 “ *greatly Err.*

Such was the Opinion of that Synod; and by this
 we may now clearly see, who the *Princes*, in their
 Opinion, were, whose *Supremacy* they asserted in
 their first Canon, of 1604; and The *Impugners* of
 whose *Authority*, they declared to be *ipso facto Ex-*
communicated, in the second: Namely Those whose
 Power, *Howsoever* acquired, though by *Rebellion*
 against the *True and Lawful Possessor*, is yet, by
 God’s Permission, *thoroughly settled*; The *Autho-*
rity, even of such *Princes*, being, in their Account,
 God’s *Authority*; not *Impeached* by the *Wickedness*
 of Those that have it; but to be, *Reverenced, and*
Obey’d of all, as well Clergy, as Laity, for Consci-
ence Sake.

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It may admit of some Question, whether such an *Usurped Power* ought not to be esteemed *thoroughly settled*, as soon as, by *God's Permission*, the Usurper has so far prevail'd, as to be *publickly submitted to by the Body of the People*; and *solemnly Invested with the Supreme Authority* after the manner either by Law Establish'd, or by Custom Used in every Country. So that when once an *Usurper* is *Crown'd King*, and Recognized for such by any Nation, He is from thenceforth to be looked upon as that *King* to whom the *Allegiance* of All the People of that Nation is due. This I am sure is what *Our Laws* determine; and we ought therefore to suppose that when *Our Bishops and Clergy* speak of the *Settlement of an Usurped Power*, They intended to be understood, according to the Sense and Tenor of those *Laws*. But not to insist upon such an Exposition of a *Settlement*, which however Reasonable, may with somewhat more Colour be denied: If a *Possession* of near *Thirty Years*, notwithstanding all the Endeavours both of Friends within, and Assistance from abroad to disturb it: If an Authority Enjoy'd, and Exercised, by *Three Successive Princes* in the Throne, Governing our Nation, as its *Sovereigns*, and submitted to by it as such; Recognized by *All the Princes of Europe*; and by the most Solemn *Treaties* agreed to be Supported by Them; be not sufficient to bespeak the *Royalty* acquired by King *WILLIAM* at the *Revolution*, and from Him descending to *Our present Sovereign King GEORGE* to be a *Thorough Settlement*: I believe it will be impossible for the Wit of Man to conceive what can make such a *Settlement*; Or when we may be
allowed

allowed to say of any Government, that it is *thoroughly Settled*.

But there is a great deal more than this to be offered in our Case; though this alone were enough, to prove *the King now in Possession* to have a *Right* to our *Allegiance*, even though the *Revolution* should be allowed to have been as wicked, and detestable, as Malice it self can Represent it. For His *Right* is Settled not only by a *long, Established Possession*, but by many *Acts of Parliament*, made both under King *WILLIAM*, and Queen *ANNE*: By that *Authority*, which being the *Supreme Legislative Authority*, has an undoubted Power to Establish such a *Settlement*; and is by our Laws expressly declared to have it: In a Word, by such an *Authority* as no Subject may deny under a very Grievous Penalty, to have a *Right* and Power to do it.

Nor is it any Exception against these *Acts of Parliament*, that They were made by *Kings in Possession* only; not acknowledged by Those with whom we are now disputing, to have been *Rightfully* such. For of this kind are a very great part of all those *Statutes* which our Forefathers have nevertheless retained in their *publick Records*, and our *Judges* (even those of *Kings de Jure*) Received, and Allowed, as the unquestionable *Laws* of the *Realm*. And to the Learned in our Law I appeal, whether it has ever been admitted in any of our Courts, as a just Exception against these *Acts of Parliaments*, that the *King* who Passed them, and by whose *Parliaments* they were made, was only a *King in Fact*; and that therefore such *Statutes* were not to be esteemed of any Force.

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Whatever then becomes of the *Revolution*; if a full and lasting *Possession* of the *Throne* gives the *Possessor* a *Legal Right* to the Peoples *Obedience*; (as all our *Lawyers* agree that it does :) If a *Government*, however begun, when once it is *thoroughly settled*, must be accounted to have *God's Authority*, and be submitted to *not only for Wrath, but also for Conscience sake*; as our *Bishops* and *Clergy*, in their *Synods*, have defined that it is, and ought to be: If, lastly, the present *Government*, has not only such a *Settlement in Fact*, but by the *Laws*, and *Statutes* of our *Realm*, made in *Limitation* of the *Succession* to the *present Royal Family*, is also intituled to a *Legal and Rightful Enjoyment* of the *Crown* of this *Realm*; it must remain that it is the Peoples *Duty* to acknowledge the *Authority* of it; and heartily to Obey a *Prince*, who, upon so many *Accounts*, has a clear and undoubted *Right* to their *Allegiance*.

And if it be Our *Duty* to be *Subject* to, and Obey the *King* in *Possession*; it will from thence follow that it is not Our *Duty* to Obey *any Other*, (whoever he be) that is *Out of Possession*. For Our *Allegiance* can be due but to *One* of Them: And therefore if it be due to Him who is upon the *Throne*, it cannot be due to Him who is not, but only sets up an uncertain *Claim* to it. Nay more; If our *Allegiance* be due to King *GEORGE*, We are so far from *Owning* any *Allegiance* to the *PRETENDER*, that it is Our *Duty* to withstand Him, not only in his *Claim* of the *Crown*, but in whatsoever *Attempts* he shall make Against Our present *King*, towards the *Obtaining* of it. For *Allegiance* must imply, at the least, a *Legal Obedience*: And to whomsoever we Owe the *One*,

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We are in Conscience bound to pay the Other. If therefore the Law requires Us, as most certainly it does, to maintain and defend the *King in Possession* against All his Enemies; it must needs be our Duty to do it against Him who is the Chief Enemy of all; if ever He shall endeavour to Deprive Him of his *Royal Crown and Dignity*.

In short; If after a full, and *thorough Settlement*, the Divine Authority to Rule and Govern any People, be in Him who has got such a *Settlement*; then it will follow, lastly, that He who has so long been *Out of Possession*, has no Right at all to the same Government. *Legal Authority* 'tis plain He has none: That is on the side of Him who is the *Legal Sovereign*. And if there be any such Thing as the *Authority of God*, Separate from that of *Men*, in this Case (as I think there is not,) Our *Bishops and Clergy* have expressly declared that the *Possessor* is invested with That also. And what *Authority* He can have, who has neither any from *God*, nor *Man*, I shall leave to the Friends of the *Pretender* to consider.

I may now presume to hope, that I have sufficiently Vindicated both my Self, and my Country-Men, from the *first* severe *Charge*, that has been so unjustly brought upon Us; that of *Perjury and Rebellion*. A great part of the present Generation were scarcely Born at the time of the *Revolution*: Others were much too young to have had any hand in it. These therefore neither *Rebelled* against King *JAMES*, nor broke any *Oaths of Allegiance* to Him, having indeed never taken any such *Oaths*; nor ever been Obligated to take Them. They set out into the World under the present Establishment; and, as our Laws required Them to pay their Allegi-

Allegiance to the *King*, whom They found in *Possession* of the Crown, so were They, for the same Reason, Obligated to take the *Oath of Allegiance* to Him. And for those Few, in Comparison of all the Rest, who not only lived at the Time of the *Revolution*, but had a Share in it, (though that be no part of my present Concern) Give me leave once more to say, That if King *JAMES* truly *Invaded*, against Law, the *Rights* of His People; If he Endeavoured, contrary to the *fundamental Constitution* of our *Limited Monarchy*, and in direct Opposition to his *Own Oath*, (upon which the *Oaths of Allegiance* made to Him by the People were founded) to *Govern Arbitrarily*, not according to the *Laws* of the *Realm*, but by his *Own Will and Pleasure*; as I have before shewn, and it is notorious to all the World, that He did: Then it is not to be questioned but that *Every Subject*, and much more the *whole Nation*, had a Right to withstand such an Unjust Invasion of its *Legal Establishment*; And to Endeavour, by Force of Arms, if it could not Otherwise be done, to Oppose all such as should Unlawfully Attempt to Subject Them to his Tyranny, and Oppression: And, by that means, (if possible) Oblige the *King* to return to that Legal Form of Government from which he had departed. This was all that (for ought appears) Any of Those who Rose in favour of the *Prince of Orange* intended; and more than the most of Them did. As for the *Lords and Commons* who *Voted* the *Abdication* (for I shall not need to say any thing to Vindicate the Procedure of Those who did not;) I have before professed, and I see no Cause to retract it, that if They were fully persuaded that the Departure of King *JAMES* in

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such a Manner as we are told He left the Kingdom; and *at such a Time*, (when the *Grievances* that had been Complained of were just ready to be submitted to the Judgment of a *free Parliament*;) and *with such a Design*, (on Purpose to avoid the Redress of them) did in its Nature amount to a *Dereliction* of the *Government*; (And it must be allowed by Those who are the most prejudiced in favour of that Unfortunate *Prince*, to be at least a very doubtful Case, whether it did not :) They could not have been true to the Trust Committed to Them, if they had not *Voted*, and *Acted*, as they did. So that here we must leave Them to the Verdict of their own Consciences, and the future Judgment of God; who will *judge righteously, and render to Them according to their Deeds*. In the mean time, in a matter of such a Nature, in which it is not easy for the Wisest Man alive to Determine on either side; I am sure Charity will Oblige Us to Believe and Hope the best; and not suffer us rashly, and at all Adventures, to Condemn Those, whom perhaps, when we shall stand together in Judgment, He who searches the Hearts of Men, will finally Acquit.

I come now to the other *Charge* that is laid against Us, Consequent upon the foregoing, and such as I apprehend must fall with it; I mean that of *SCHISM*, upon the account of our *Communicating* with those *Bishops* and *Presbyters*, who were either *put into the Places* of such as had been *turn'd out* for not taking the *Oaths*; or had *Consecrated the One*, and *Instituted the Others* to Succeed Them in their *Dioceses* and *Parishes*. And here again it will be necessary to State the Case aright, that so we may be the better able to judge aright of it.

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The *Imperial Crown* of this *Realm* being set, as we have seen, upon the Sacred Heads of King *WILLIAM*, and Queen *MARY*; it could not be expected but that Many would be Offended at it. Some lost their Hopes; Others their Places by it. Some had Personal Engagements to King *JAMES*; Others had Acted too far with Him, to be willing to undergo an Examination of what they had done. The whole Body of the *Papists* were fallen from their Expectation of seeing their Religion again Restored in this Kingdom; and all These had their several Friends, whom (tho' not concerned upon any such Account, yet) They found means Artificially to draw into the same Resentments with Themselves. Many were willing to see things better Settled, before they Engaged too far in a New Interest. They knew that the King of *FRANCE* was Resolved to hazard all, for the Restoring of the Ejected Prince: And they could not tell how far such a Powerful Assistance from abroad, joining with the many Friends they were like to meet with among Our Selves, might, in a few Months, put an End to the *New Establishment*; and bring back King *JAMES* with an Arbitrary, and Uncontroulable Power, to wreak his Revenge upon all that had Opposed Him. However it were, by some, or all these Means; and perhaps a little of Conscience too in Those who had long been intoxicated with the Slavish Notions of *Absolute Power*, *Indefeasible Right*, and *Unlimited Obedience*; (things as Irreconcilable with Our *English Constitution*, as Light is with Darkness) Many began to Scruple the *Oath of Allegiance*, tho' framed in the softest, and most Gentle Terms, that ever any *Oath* of that kind had been. The Government was sensible of this; and therefore took the mildest Method

thod that could have been thought on, to make Every body Easy. It first Reduced the *Oaths* to such a Form, as might be the least apt to raise Scruples in the Minds of any truly Conscientious Persons: And then Allowed a Competent Time for men to Examine their Scruples, if They had any, against it; and to get a reasonable Satisfaction of the *Lawfulness* of taking the *New Oaths required of them*.

Not to meddle with any others, the *Clergy* were indulged to the Last of *August*, 1689, (about six Months) for the taking of these *Oaths*. If they Refused them then, They were only to be *suspended* from the *Execution* of their *Office*, by the Space of another six Months: At which Time, if they still continued to Refuse them, They were to be *ipso Facto* Deprived of whatever *Benefices*, *Dignities*, or *Promotions Ecclesiastical*, They Enjoyed. This was the Law; and the Effect was, that a few of the *Bishops*, and some of the *Other Clergy*, persisting in their Refusal to take the *Oaths* prescribed, fell under the Censure of the Law; and were, by vertue of it, Deprived of their respective Preferments. In the Room of Those who thus lost their Places in the Church, Other *Orthodox Bishops* and *Clergymen* were substituted by Those, who had the Right of bestowing of Them: And the Crime Objected to Us, is, That some were put into the Places of Those who were Deprived; Others Communicated with Those who were so put in, and by this means All, both *Clergy* and *People*, who took the *Oaths* to the *Government*, became finally involved in the Guilt of *Schism*.

Now of Those who make this Exception against Us, I would crave leave to ask;

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Ist. Whether to Require the *Bishops*, and *Clergy* of this Church, to take the *Oaths* of *Allegiance* and *Supremacy*; and to inflict such *Penalties* upon them, as the *King* and his *Parliament* should think proper in Case of a Refusal, were any *new Thing* purposely invented upon this Occasion: Or whether our Government had not often done the very same before? To say nothing of the *Oath* of *Allegiance* Established by King *JAMES* the Ist, and from thenceforth continued to be imposed upon all the *Clergy* of the Realm: The *Oath* of *Supremacy* was not only Enjoin'd by Queen * *ELIZABETH* to be taken by all "*Archbishops, Bishops, and All and Every other Ecclesiastical Person*: But it was moreover Enacted, "*that if any such Archbishop, Bishop, or Other Ecclesiastical Minister, should peremptorily, or obstinately Refuse to take, or receive the said Oath, then the Person so Refusing, should forfeit and lose all, and every Ecclesiastical and Spiritual Promotion and Office, which he had at the time of such Refusal made; and that the whole Title, Interest, and Incumbency, in every such Promotion and Benefice, should clearly cease and be void, as tho' the Party so Refusing were dead*". By vertue of this Clause, as soon as the Parliament was risen, the *Oath* here Establish'd was tender'd to several of the *Bishops* and *Clergy*. Upon their Refusal to take it, many of them were committed to Prison, and some kept a long time under Confinement. The Rest were generally *Deprived* as the Act prescribed, and new Ones put into their Places. And notwith-

standing all this, we do not hear of any *Protestants* that took any Exception against it; or Complain'd that those *Bishops* and *Presbyters*, were unduly Deprived by a *Lay-Authority*; and that Those therefore who came into their Places, were to be accounted *Schismatical Intruders*, as is now very unreasonably done.

Nor was this a practise first begun by Queen *ELIZABETH*. The Statutes of King *HENRY* the VIIIth, even in the times of *Popery*, will afford us several Instances of the like *Parliamentary Deprivations*.

To pass by the *Statute* against *Pluralities*, 21 *HENRY* VIIIth, which determin'd, that if any one having a *Living* above the value of eight pounds per *Annum* in the King's Books, should take another without a *Dispensation*, the first *Living* should thereby become *ipso facto* void: By the 26th of that King, cap. 3. The very not paying of *Tenths* as that *Act* prescribed, was made a Ground of *Deprivation*; and the Person so refusing to pay them, as was here required, was to be *ipso facto* Depriv'd, not only of the *Ecclesiastical Benefice* for which He should have paid them, but of all other the *Dignities*, and *Promotions* that He enjoy'd.

The Rigour of this *Statute* was thought good to be moderated by King *EDWARD* the VIth; but the *Forfeiture* was still continued as to the *Benefice*, for which the *Tenth* was to have been paid: And the Incumbent not paying his *Tenths* was to be *ipso facto* Deprived of That, and only secured as to any other of his *Preferments*, for which he had made no *Default*. 2 *Edward* 6. c. 20.

The *Common-Prayer-Book* having been compiled by publick Authority, it was in the same Session of
Parliament

Parliament Enacted, that every Minister should use that, and no other Form of Divine Service, under the Penalty of being Deprived *ipso facto*, for the second Offence, whether of Refusing to use it, or of Preaching, or Speaking, any Thing in Derogation of it. 2 Edw. VI. c. 1. This same Caution, and Penalty, was afterwards extended to the *second Book* set forth by that Prince, 5 Edw. VI. c. 1. And reinforced by Queen Elizabeth, who in like manner Enacted, That it should be Deprivation *ipso facto*, upon the second Conviction, for any Clergyman to refuse to use the Common Prayers according to the Book set out by Her Authority; or to use any Other, or to Preach, Declare, or Speak any Thing, in Derogation or Depraving of the said Book. 1 Eliz. c. 2.

By the 13th of the same Queen, several other Neglects, and Defaults, in the Matters therein Establish'd, as, Of Subscribing the *Thirty-nine Articles*; of Reading them in the Church, and Declaring an Assent to them; Of being admitted to Minister the Sacraments within a Year after Induction into a Benefice, if not admitted before; were to be Punished with a Deprivation *ipso facto*.

Upon the Return of King CHARLES the 1st, by the Act of Uniformity, (a Statute than which None hath been more highly Esteemed and Approved of, by all the true Members of the Church of England) the very same Penalty is twice imposed. Every Minister that had then any Benefice, and every One who should from thenceforth take any Benefice, was Obligated within a certain time limited in that Statute, to Read the Morning and Evening Prayers, upon some Lord's-Day in the Church which he then possess'd, or should afterwards be Promoted to; and to Declare his Assent and Consent to the

Book of Common-Prayer, and to all and every Thing contained in it, upon pain of being *ipso facto* deprived of All his Ecclesiastical Benefices and Promotions, if he either Neglected, or Refused so to do. Nay that *Act* went yet farther : It required a Declaration to be made by Clergymen with relation to Civil Obedience, and to the Solemn League and Covenant, under the same Penalty : And we all know, how many Ministers did actually lose their Benefices upon this Statute ; and were nevertheless Censured for Separating from the Church, and setting up private Conventicles, as is now in like manner done, because They had been Deprived by a Civil Sanction and Power, of their Cures which they enjoyed in it.

It is therefore certain, that in Establishing these Oaths, and Requiring the Clergy to Take them, under the Pain of being Deprived *ipso facto*, if they did not ; the Government did no New Thing : Such Oaths had been Established in like manner before ; And the Clergy had been required, on many Other Occasions, as well as in the Case of those Oaths, to comply with the Things required of Them, under the penalty of Losing their Spiritual Promotions if they did not. Which being so ; Let me proceed a little farther, and ask,

2dly ; Whether the Government which first Imposed these Oaths, and has ever since Continued, and Inforced, the Taking of Them, under the pain of Deprivation, had not very good Reason so to do ? Could Our Rulers either have been secure Themselves, or have provided, as they were both in Duty, and all good Policy, bound to do, for the Safety of the Realm, if They had not ? I will be bold

bold to say, that neither out of Conscience to their *Duty* towards *God*, nor of the discharge of that *Trust* which they were under to their *People*, any Thing less could have been done by Them in this particular : And I would to *God* there had not been too much Reason given them since, to have prompted Them to Do a great deal more.

It would be to little purpose to dissemble, what all the Nation knows to be most true, that hardly any sort of Men in the Kingdom have either appeared more obstinately disaffected to the *Protestant Establishment*, or have more heartily labour'd to Overthrow it, than several among the *Clergy* have done. How many of Those who have readily taken the *Oaths* to the *Government*, and *Abjured* both the Title and Interest of the *Pretender* ; have nevertheless shewn too little Regard to all this, in their Actions, and Conversations ? It is a melancholy thing to Consider how our very Pulpits themselves have sometimes been made the Trumpets of Sedition ; and helped on those Unhappy Divisions which have so often brought Us to the very brink of Ruin ; and from which our Enemies still flatter themselves, that They shall yet be able to Destroy Us. And if such has been the Undutiful Conduct of Many who have Own'd the Government, and bound their Consciences with the most Sacred Obligations to Serve and Support it ; How much more must it probably have suffered, had all those *Bishops* and *Clergy* been Continued in their Places, who chose rather to lose their Preferments, than to plight their Faith for their quiet Submission to it ? Can it be reasonably imagined that any *Prince*, or *Parliament*, could have *Tolerated* such Persons to sit in the *Great Councils* of the *Realm* ; to *Vote* there in all the *Diffi-*

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cult Affairs of State; to Officiate, and Instruct the People in their Churches; and to Conduct the Clergy in their Dioceses; Who disclaimed Their Authority; Declared Them to be no better than Rebels and Traytors; and accounted it their Duty to stir up all the People against Them, in Order to the Restoring another Prince, Whom they supposed to be their Rightful Sovereign?

Is there a Government upon the Face of the Earth, so weak, or foolish, as to have endured such Subjects, or rather such Enemies, in places of so great Moment to the publick Peace, as those Ejected *Bishops* and *Presbyters* Enjoy'd? Could any thing less have been done to such Men, than to require an *Oath of Fidelity* from Them? That they should Swear, *That they would be faithful, and bear true Allegiance* to the Prince that Protected them? Under whose Government they were secured in the Enjoyment of their Honours, and Estates, as well as of their Lives and Liberty? Or was it possible to imagine a milder Penalty than was Imposed upon this Occasion? That they should either in Six Months time, satisfy their Scruples, and Consider what they would Do; Whether they would be Peaceable and Obedient, in their several Stations in the Church; and Guide their Flocks in the way of Truth and Loyalty; Or else should be Suspended from the Execution of their Offices, and not be permitted to stir them up to War, and Rebellion. And even after That, should have Six Months more allowed Them to Re-establish themselves; Or if they could not in that Time Overcome their Doubts, and Resolve to live quietly in their Places, should yield them up to Those who had no such doubts; but would give the Government that Security for
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their good Behaviour, which the Others refused to Do.

But it would be an affront to the Reason of mankind, seriously to argue this matter any farther: And I do in my Conscience believe that the *Non-jurors* Themselves would have scoff'd more, if it had been possible, at the Government, than they have done; and have thought more meanly and contemptibly of it than they do; should it have shewn such a Weakness, such a Want either of Courage, or Policy; such a distrust of its Own Strength, as to have Born with them; and not have Required the common Security of Them, which is given by all other Subjects, in all Countries and Kingdoms, to their respective Princes. And therefore taking it for granted, what I dare say no body will deny; that it was *Reasonable*, or rather *Necessary*, for Our Government to have *Required* such *Oaths* of the *Clergy*, and that under the pain of *Deprivation*, if they should continue *Obstinately* to Refuse Them; Let me ask farther;

3dly, Was there any thing *Evil*, or *Unrighteous*, in such an *Establishment*? Was either the *Oath* it self, which was imposed, an *Unlawful Oath*? Or the *Penalty* under which it was Required, such a Penalty as the Government had not as good an Authority, as I shall now take it for Granted, it had just Reason, to Inflict upon the Refusers of it?

For the Thing it self which was required; It was to promise, upon *Oath*, to be faithful and bear true Allegiance, to the *Supreme Power* then in being: To those Princes whom both Our *Lords*, and *Commons*, in the *Convention* first, and then in *Parliament*, had Recognized, and Declared to be Our *Lawful King* and *Queen*. Whom our *Bishops* had Solemnly Crown'd with the Imperial

perial Crown of this Realm: To whom all the Estates of it had paid their Homage, and Sworn Allegiance: In whose Names the Government was Administred in all the parts of the Kingdom; under whose Authority all our Officers, as well Ecclesiastical, as Civil and Military, Acted in their several Places and Stations: In a word, Whom our Laws (without Enquiry into their Titles; for the Crown cures all Defects;) have expressly declared to be the King and Queen, to whom Our Allegiance was due.

Now what can ever be lawful either for the Prince to Require, Or the Subject to Promise, if this be not? *Oaths of Allegiance*, in general, No body pretends to be Unlawful, either for the Government to Impose, Or for the People to take. *Obedience* to the *Higher Powers* is a thing both Lawful to be Sworn; and of Importance enough to be established under such a Sacred Tie. And to whom Our Allegiance is due, to Him we may safely Swear that we will pay it. *God* commands Us to *Obey the Higher Powers*: The Law declares *who those Higher Powers are whom we ought to Obey*. And therefore, in this Case, what the *Law of Man* imposed, the *Law of God* confirm'd; and Every good Subject was bound to Submit to the Imposition out of *Conscience* to the One, as well as out of *Fear* of the Other.

But here we shall be told, that Those who Refused to take that *Oath*, did it because they were persuaded in their Conscience, that they Ow'd their Allegiance to another Prince; and therefore could not Swear without Sin, to Him *who* now sat upon the Throne. Let us Grant it to have been their Opinion; and that if they were Sincere in it, and Refused to take the Oaths Imposed, because They verily believed it to be Unlawful for Them to take them,

them, They were Excusable in what they did, and ought rather to be pitied, than blamed, for their not taking of them. Yet still this will only argue their own Weakness, or Obstinacy: It will shew that They were not Satisfied of the Lawfulness of taking those Oaths, but will by no means prove either the Imposing, or Taking of Them, to have been really Unlawful. And therefore, in such a Case as this, in which a few particular Persons had the Misfortune to differ in their Judgment from the Supreme Authority of the Realm, and the Opinions of much the Greater part of it; a very little Charity might have disposed Them, if not to have distrusted their Own Judgment; yet to have thought favourably of their Brethren: At least, since they had the Misfortune of being under the Power of such Principles, as would not suffer them to do what the Law required, They should have quietly submitted to what it inflicted; and have given up those Promotions which, as the Case stood with Them, They could not keep without Sin, but might certainly have Resigned without the least Offence either to God or Man.

If to this it shall be replied, that tho' the *Civil Government* might have justly *Imposed* such Oaths upon the *Clergy*, yet it ought to have done it under some *Other Penalty* than that of *Deprivation*; I have before shewn, that no *Other Penalty* would have answered the End of Imposing of Them. For supposing the *Non-jurors* to have been still left in Possession of their *Places* in *Parliament*; of their *Authority* over their *Clergy* in their Several *Dioceses*; and of the *Direction* of the *Parishes* to which they had been admitted; it is plain They would have been left in their full Power of doing all the Mischief
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they could to the Government; and have had the Opportunity of Employing all the Interest, which their Promotions afforded them, to the Overthrow of the *Prince* under whom they lived; and the Service of Him, who (to the Ruin of our Liberties and Religion) was Endeavouring to Recover that Sovereignty by Force, which his Fears and Guilt had made Him Abdicate and Desert.

And as for what concerns the *Bishops* in particular; How could They have possibly Executed their Office, had they been Continued in the Possession of it? Would they have Obey'd the *Summons* of One whom They accounted an Usurper; and have Attended his *Parliaments*? Would they have Executed His *Writs*, and Met together in *Convocation* upon His Call? Would They have Ministr'd those *Oaths*, at *Ordination* and *Institution*, to Others, which They supposed that They could not, without Perjury, have taken Themselves? How was it possible for Them to have done their Duty, either in the *Church*, the *Parliament*, or their *Dioceses*, under a Prince whose Authority they deny'd? Whom they could neither *Pray* for in the *Church*, nor *Act* with in the *Parliament*; and in whose Name they could not have Ministr'd the Necessary *Oaths* to Any, either at *Ordinations* or *Institutions*, in their *Dioceses*.

But still it may be asked; Had the Civil Magistrate *Competent Authority* to *Deprive* those *Bishops* and *Clergy*, of their *Benefices* and *Promotions*? Was it in the Power of the *King* and *Parliament*, being *Laymen*, to Eject Them out of their *Ecclesiastical Preferments*? I answer, that it was certainly Lawful for Them to *Deprive* Them of All that they did intend by that *Act* of *Parliament* to *Deprive* Them. I am sure, if it were not, both Our *Bishops* and *Cler-*

gy must have been under a Grievous Mistake, ever since the first Beginning of the *Reformation*; The One in presuming to Concur in *Enacting* what they should have known was not in their Power to *Ordain*: The Other in Submitting to what was so *Unjustly Ordained*; and never making any Exception against it. For I believe it will be hard to give so much as one Single Instance, of any Member of our Church that ever Excepted against these *Lay-Deprivations* (as They are pleased to call them) till since passing of that *Act*, by Vertue whereof the late *Bishops*, whose Case we are now debating, were Deprived.

To make this Matter the more evident, let it be Considered What those *Bishops* and *Clergymen*, who Refused the *Oaths*, were, by vertue of that *Statute*, *Deprived* of. Their *Orders* were not touched: They were still left under the same *Spiritual Capacity* of Exercising all the Functions of Them, that They had before. By vertue hereof the *Bishops* had still the *Right* of *Ordaining* and *Confirming*; and both They, and the *Other Clergy*, the *Power* of *Preaching* the *Word* of *God*, and *Administring* the *Holy Sacraments*, as if they had not been Deprived at all. But the *Bishops* were divested of their *Civil Rights*: They lost their Title to their *Honours* and *Revenues*: They were debarr'd from *Sitting* or *Voting* in *Parliament*: They were Restrained from *Officiating*, as *Bishops* of such particular *Dioceses*; or from doing any *Authoritative Acts* within Them. This was all the Incapacity which that *Statute* brought upon Them. And the same was the Case of the *Other Clergy*: They were Deprived, in like manner, of the *Dignities* which They Enjoy'd in our *Cathedral Churches*; and of their *Cures* in their *Parochial Ones*.

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They were debarr'd from Receiving the Profits Annexed to Them, and from Exercising their Priestly Offices in Them. As They would not *Swear Allegiance* to the *Civil Government*; so the *Civil Government* thought it not fitting to permit them to perform their *Clerical Functions* in, or to partake of the *Profits* of their *Benefices*: But Resolved to Commit them to such Other Orthodox *Bishops* and *Priests*, as were willing to give them the Security They required of their Fidelity and Obedience; and whom they could better trust with the weighty Charge of Ruling their Clergy, and of Teaching and Instructing their People.

And now, What is there in all this that the *Civil Magistrate* had not a sufficient *Authority* to Do? What is there in such a Procedure, that is either prejudicial to the *Christian Church*, or contrary to any Part of the *Gospel of Christ*?

That the *Bishops* and *Clergy* of this *Realm* have certain *Estates*, *Honours*, and *Privileges*, belonging to their *Benefices* and *Promotions*, is merely from the *Grant*, or *Allowance*, of the *Civil Magistrate*. That they are *Bishops* of *such a Diocese*, or *Rectors* of *such a Parish*, is solely the Result of *Human Disposition* and *Authority*. The *King* Nominates the Person, who is to be made a *Bishop*; He Confirms the Election of Him by the Clergy, as well as gives the Clergy Power to Elect: He grants Him the *Estate* and *Honour* Annex'd to his *Bishoprick*: And all this not only upon Supposition of Fealty to be done for it, but with an express Homage performed by every such *Bishop* upon the Account of His *Bishoprick*; and a Solemn Acknowledgment therein made, that He Holds both his *Bishoprick*, and the Possessions of the same, of the *King*, and the *Imperial Crown* of this *Realm*.

Realm. When therefore the Civil Power does, for any Offence by any such Persons Committed, or for any Duty refused, Deprive Them of their Bishopricks, It takes nothing from them but what it had freely given them before: And it would be very strange, that the Civil Magistrate should have Authority to grant a certain Part of His Realm to a Bishop to Exercise his Office in, and to Allot him a Competent Maintenance out of the Lands and Possessions of the same Realm, for his Support in the Execution of the Office so Committed to Him; and yet, tho' such a Bishop should never so much Misbehave Himself towards his Prince, or Act never so contrary to the Interest of the Realm; Tho' he should expressly declare the King to be an Usurper, and refuse to acknowledge his Lawful Power and Authority; Yet neither the King, nor his Parliament, shall have Power to Resume their Own Grant; and Deprive Him of that Diocese, those Honours and Revenues, which, upon the Confidence of his Continuance in his Sworn Fealty to the Crown, had been Committed to his Trust.

I am sure our first Reformers were so far from being possess'd with any such Notions, that They made no scruple to take Commissions from the Crown to hold their Bishopricks; and to Exercise their Jurisdiction in them, during the Prince's Pleasure. And it would be a very Ungrateful Return for the Remission of such a truly Severe, and I think undue, Dependence upon the Will of the Prince, to set up for a Power out of the Reach both of the King, and the Law: And to pretend a Right to Exercise a Jurisdiction over his Subjects, and within his Realm, not only without his Permission, but in Defiance of his Authority; and Oblige his People to Submit to it, on pain of Damnation.

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But if it shall be yet farther asked, Whether, notwithstanding these *Deprivations* of the *Non-juring Bishops* and *Clergy*, by the *Authority* of the *Civil Magistrate*, the *People* are not still *Obliged* to hold on their *Communion* with their *Deprived Ministers*, and both the *People* and *Clergy* to *Obey* their *Old Bishops*, and not to *Receive* or *Communicate* with Those who are put into their *Places*? the Answer to this will be very easy. As soon as any such *Bishops* and *Ministers* are *Removed* from their *Dioceses* and *Parishes*, the *Relation* ceases between *Them*, their *Clergy* and *People*; Who are from thenceforth to look upon *Them* no otherwise, than as if *They* were naturally *Dead*.

For Proof whereof let it be considered, that a *Parishioner* does not *Communicate* with His *Minister*, nor receive Him as such, merely because he is a *Priest of the Christian Church*, duly *Ordained* to that *Office*; but because He is also *Legally Constituted the Minister of his Parish*. It is for this Reason that, in *Obedience* to the *Laws* of the *Realm*, He pays him the *Tythes*, and *Other Dues* which he is *Obliged*, as a *Parishioner*, to pay to the *Minister of that Parish*; upon the *Account* of the *Houses*, or *Lands*, or other *Estate*, which he occupies in it. And the *Minister*, in *Return*, is *Obliged* by the same *Laws*, to *Officiate* in the *Parish Church*: To *Preach* the *Word*, and *Minister* the *Holy Sacraments*, to all the *Members* of His *Parish*. But if either this *Minister* leaves His *Parish*, and takes some *Other Cure*; Or the *Parishioner* ceases to *Inhabit* in it, and *Removes* into another *Parish*; all the *Relation* of *Minister* and *Parishioner* from thenceforth *Ceases* between *Them*; and there is no such *Obligation* remaining from *Either* towards the *Other*.

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The same is the Case with a *Bishop*, and his *Clergy*: Their Relation is founded upon the Right which the One has, by Law, to be *Bishop* of that *Diocese*; and the Other, by the same Law, to be the *Rector* or *Vicar* of some *Cure* within the same *Diocese*. But if either this *Bishop* be *Translated* to another *See*; or *Resigns* his *Bishoprick*; or otherwise *Leaves* his *Diocese*, and another *Orthodox Bishop* be Legally put in his place; Or if the *Parochial Minister* takes a *Living* in another *Diocese*, or Otherwise *Resigns*, or *Forfeits*, or *Avoids* his *Cure*; in any of these Cases all the Relation Ceases between Them; and the Duty which such a Minister before Ow'd to that *Bishop*, is at an End; and must be transferr'd to the *Other Bishop*, to whom, by Law, it Appertains.

This is so clear in the Case of *Bishopricks* more especially, that when by *Act of Parliament* some *New Dioceses* were taken out of the *Old Ones*; as *Gloucester* out of *Worcester*; *Oxford* and *Peterborough* out of *Lincoln*; the *Clergy*, who before that *Act* were Related to the *Bishops* of *Worcester* or *Lincoln*, as their proper Ordinaries; to whom they ow'd their *Canonical Obedience*, were from thenceforth set at liberty from all their Obligations to Them; and became Subject to those other *Bishops*, within whose *New Establish'd Districts* their *Cures* lay.

In like manner, in the present Case; as soon as those *Bishops* and *Clergymen* who Refused the Oaths, were for that Reason Deprived by the Authority of the *Statute* made in that Behalf, and new *Bishops* and *Clergymen* were legally Constituted in their places; those *New Bishops* and *Clergymen* became the Lawful, and Rightful *Bishops* and *Ministers* of their Respective *Parishes* and *Dioceses*; and the *Clergy* and *People* were Obligated to Receive,

ceive, and Submit to Them, and Communicate with them, as such.

If, in Answer to this, it shall be said, that 'tis true indeed this is the *Law* of the *Realm*; but that the *Laws* of the *Church* are Otherwise; and We ought not therefore to be so far Over-ruled by the One, as to Elude the Authority of the Other: I must desire to know, What those *Laws* of the *Church* are, which they would here set up in Opposition to, and Derogation of, the *Laws* of the *Realm*.

Is there any thing in this Procedure contrary to the *Commands* of *Christ*, or his *Apostles*? Is there any thing in the *Holy Scriptures* that Contradicts such an Establishment?

Have those Sacred Writings any where declared, that if the *Christian Prince* once makes a Man *Bishop* of such a *Diocese*, or *Minister* of such a *Parish* within His *Realm*; It shall not be in the Power of that *Christian Prince*, on any Account whatsoever, to Remove Him from His *Bishoprick* or *Parish*; Tho' He should Refuse to Own his Authority, or to Pray for Him in his Church: Nay, tho' he should declare that he was an Usurper; that some Other Person had a better Title to the Government; and teach the People to Believe the same; and in Consequence thereof, should stir Them up into Sedition, or Rebellion against Him?

Is there any Place, or Passage, in the New Testament that teaches, that the *Christian Prince* having, in his Own Defence, Removed such a dangerous *Bishop* or *Minister*, from his *Diocese*, or *Parish*, and put Another Orthodox *Christian Bishop*, or *Minister*, in his Place; the People nevertheless may, and are in Conscience bound, to Reject the Person so

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Legally Appointed to Succeed Him who is Removed; and to continue still to Adhere to, and Communicate with their former *Bishop*, or *Minister*, in defiance of their *Christian Prince*, or *Ruler*.

Hath our Saviour *Christ*, or his *Apostles*, any where said, that, in such a Case as this, Those are the *Schismatics* who Obey the *Higher Powers*, and Receive the Person whom They Appoint to Minister to Them in Holy things; not They who, under this pretence, Forsake the Communion of the *Established Church*; and Set up Other Meetings, and Congregations, against it; and Adhere to their *Seditious Bishops* and *Pastors*, Who teach in such separate Assemblies; in express Disobedience to, and Defiance of, the Authority of that *Christian Prince* under Whom, and of the *Laws* of that *Christian Kingdom*, in which, They live?

If there be any such Monstrous Doctrines as these to be found in the *Holy Scriptures*; If our Blessed Lord, who came not to disturb Civil Government, but more strongly to enforce Obedience to it, has thus set up his *Church* against the *State*; and Erected a *Spiritual Kingdom*, not only different from, but Opposite to, the *Temporal Kingdoms* of the World; let this be shewn, and we will own Them to be in the Right. But if this they cannot (as it is certain they cannot) Do; Let them not think to frighten us with their Own Inventions, but fear, lest by thus *Preaching another Gospel* than what *Christ*, and his *Apostles*, either *Preached* or *Taught*, They fall under the dreadful Sentence of *Sr. Paul*, and become *Anathema*; a Reproach, and Curse, both to *God* and *Man*.

But it may be by the *Laws of the Church* they mean not any Rules, or Directions, of the *Gospel*
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of Christ, but some *Ecclesiastical Decisions*, or *Constitutions*, made by the *Bishops*, or *Synods* of the *Church*, upon the like Occasions. Whether any such *Canons* or *Determinations*, have at any time been made, by any *Bishops*, or in any *Synods*, I shall not need to enquire. If there have, it may suffice to say, that either they were founded upon the *Authority of God's Word*, and then it must be shown what, and where, those *Passages of Holy Scripture* are, on which they were founded : Or if not, I must then beg leave to put them in Mind, that no *Canons*, or *Constitutions*, contrary to the *Laws of this Realm*, or the *King's Prerogative Royal*, have any force in this *Church* ; nor Ought in such a Case to be at all Regarded by Us.

In short ; As all the Pretence of *Invalidity* in the *Deprivation* of Our *Nonjuring Bishops* and *Clergy*, must at last be Resolved into the New, and Dangerous Pretence, of the *Independance of the Church* upon the State : So it may Suffice to Answer all such Exceptions, freely to tell them, that whilst the *Christian Prince* continues to Protect, and Defend the *Christian Church*, and the *Bishops* and *Pastors* of it, the *Outward Policy* and *Government* of the *Church*, must be subject to the *Laws* and *Constitutions* of the State ; and that it was the Will of Christ, and is for the Benefit of His *Church*, that it should be so. And to Those who yet doubt of it in the present Case ; I would only put this plain Supposition : What if our *Acts of Parliament* which enjoin the Taking of the *Oaths* to the present Government, had not only made it *Loss of Preferments* in the *Clergy* to Refuse them ; but had moreover added the further Penalty of *Banishment* to it ? And that thereupon the *Nonjuring Bishops* and
Clergy

Clergy had been immediately sent out of the Kingdom? That this the Government might Lawfully have done, cannot be doubted: Let me therefore ask, what in this Case, must have been the Consequence of such a Procedure? Must there have been forthwith an End of the *Christian Religion* in the Kingdom? Or might not the *Bishops* that took the *Oaths*, have lawfully kept on a *Succession* of *Bishops* and *Presbyters*, to *Teach* and *Instruct* the *People*; and to *Minister* the *Sacraments* to Them? And the *Clergy* have continued to *Preach* and *Baptize*, and do all other Things Necessary to maintain a *Christian Church* among Us? I can hardly think that any One will be so hardy as to say, that the *Deprivation* of a few Obstinate, or Mistaken Men, would have sufficed to have put the *whole Kingdom* under an *Interdict*: And have obliged the *Prince* either to *Restore* Them to their Places, notwithstanding all their Evil Intentions against Him; or from thenceforth to have submitted to a total failure of *Christianity* in His *Realm*; and have had his *whole Kingdom*, for the sake of those *Ejected Bishops* and *Clergy*, become a *Kingdom* of *Heathens* and *Publicans*; Of Persons utterly Cut off from the *privileges* of *Christianity*; without *Prayers*, without *Sacraments*, without any Other *Church Ordinances* here; and under a Certain Expectation of *Eternal Damnation* hereafter. And yet why Our *Conforming Bishops* and *Clergy* should be in a worse condition by *Their* staying here, than They would have been if They had all been sent out of the *Realm*, it will I believe be no easy matter for any One to inform Us.

But these are indeed nothing else but the Unreasonable Effects of some Mens Prejudices: Who must first shew us, if they can, that Their Notions

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Of *Schism*. of the *Independent Power of the Church* in a *Christian State*; Of the *Invalidity* of (what they call) *Lay Deprivations*, and the like *Chimæras* of their own brains, are founded upon the *Authority of God's Word*: Or, if they cannot do this, must give Us leave to say, that we are not to be frightened with the *Bruta Fulmina* of Their *Uncharitable Censures*; having learnt from the *Holy Scriptures*, That the *Curse Causeless shall not come*; and, That *in vain do they think to Honour Christ*, (let me add, or to do any true Service to his Church) Who thus run away, They know not why, with their *Own fond Conceits*; and *Teach for Doctrines the Commandments of men*.

From what has been said it appears, * That those *Bishops and Clergymen*, who have *Refused* to take the *Oaths*, and have thereby fallen under the *Penalty* of those *Statutes* which Enjoined the taking of Them, have been *justly Deprived* of their *Benefices* and *Promotions*. * That the *Government*, on this Occasion, did nothing but what it had a *sufficient Authority* to do; and what had often before been done, in the like Cases. * That being so *Deprived*, all their *Right* Ceased to their several *Dioceses* and *Cures*; and, with That, all the *Obligation* of the *Clergy* and *People*, either to *Communicate* with Them, or *Obey* Them, as their *Lawful Bishops* and *Pastors*. * That those *Bishops* and *Pastors*, who *Succeeded* them in their respective *Dioceses* and *Parishes*, being both *Orthodox* in the *faith*, and *Lawfully* put into their *places*; the *Clergy* and *People* were *Obliged* to *Submit* to Them, and *Receive* Them, as their proper *Bishops* and *Pastors*; and to *hold Communion with Them* as such. The Consequence of all which must necessarily be this; * That Those who *Refuse*

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to *Communicate* with Them, and Obey Them, upon the groundless pretence of any Injury done to, or any Right remaining in, the *Ejected Bishops* and *Clergy*; and thereupon set up *Separate Congregations*, Distinct from those of the *Establish'd Church*, and Consecrate *New Bishops* in Opposition to Her *Pastors*; must be the Persons Guilty of *Schism*; and answer to *God* for all that *Sin* which, by their Own Confession, will lie either upon Them or Us; and for all those Evils and Calamities, which they have been Endeavouring by this means, to bring upon Our *Church* and *Nation*. And tho', in matters of this Nature, I must freely Own that I have no great Regard to what Those of other Countries (with whom we have nothing to do, nor They with Us,) have either Determined, or Practised, on the like Occasions; Yet I believe it will be hard to produce any Instances, in any part of the *Christian Church*, wherein it has been thought allowable to separate from the *Orthodox Bishops* and *Clergy* of an *Establish'd Church*, meerly upon this Account, that the *Christian Magistrate* had, for some great Crime Committed against His Government, or upon some Other just Offence given by Them, Deprived certain of His *Bishops* or *Clergy* of their *Preferments*; and Caused Other *Orthodox Bishops* and *Clergymen*, to be regularly Chosen and Admitted into their Places.

And now having thus fairly shewn what Our *Opinions*, as to all these matters, are, and what the *Reasons* upon which we Account Our Selves Obliged to Act as we do, both with respect to our *Submission to the present Government*, and our *Communion with the Church of England by Law Establish'd*: Let me, in the Name of *God*, beseech all

Impartial Persons, even Those who differ from Us in some, perhaps in most, of the Particulars before mentioned, seriously to Consider, What Occasion has been given for those Unhappy *Divisions* which have been so causelessly Raised, and so fatally kept up among Us? And what ground there is for those rash *Censures*, which some Men are pleased, with so much bitter Anger and Malice, to Cast upon Us?

Is it that we Complain of the Unwarrantable Measures taken by King *JAMES* to Oppress a free People; to turn our *Limited* and *Legal*, into an *Arbitrary* and *Absolute Monarchy*; and that in Order to the bringing in of *Poper*y, with all its destructive Consequences, Upon Us; and thereby rendring Us equally Slaves, both as to that Temporal and Spiritual Tyranny, from which we had so long and happily been Deliver'd? Forgive Us this fault. We Confess we did Complain of that Prince's Unjust and Oppressive Attempts; nay and do still think we had good reason to complain of Them: And that we should have been the worst of Traytors both to our *Church* and *Country*, had we not been concern'd at the Approaching Desolation of Both: And have even deserved those Fetters, which were prepared for Us, if we had not been desirous to do all we Lawfully Could, to prevent our being servilely bound with them.

Or is it that we *Rejoiced* heartily at the *Deliverance* which it pleased God, in his great mercy, to Send to Us? That we were pleased to think that a Generous *Prince* had pitied our Misfortunes; and was Resolved to free Us from that Tyranny and Oppression, which he saw was breaking in, like a Torrent, upon Us? We freely Confess this also:
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We were pleased at the prospect, and we did secretly Offer up to God those Thanks then, which we have ever since publickly Repeated in *Our Church* on the happy day of his Coming to Us; That He gave King WILLIAM a safe Arrival Here; and made all Opposition fall before Him, till He became Our King and Governor. The Blessing certainly was very great; To be delivered from such an imminent Ruin by a foreign Prince, who had no Obligation either of Law or Conscience, to restrain him from such an Enterprize; but great Inducements, both upon his Own, and his Country's Account, to prevent our being Sacrificed to the Arbitrary Will of an Oppressor at Home; and to the fatal Service of the French Measures, so dangerous to all its Neighbours abroad.

Is it that Some among Us join'd in that Invasion; Others Approved of it: Many Invited the Prince, upon King JAMES's withdrawing Himself, to take the Government upon Him; and All Refused to Express any Resentments against what was doing, or to Encourage the People to Assist the King, in Opposing of it? But can it be thought Reasonable that any People, in our Circumstances, should, or ought to have done Otherwise? Were we reduced to such a pass, that we could not at all, or not without the Odious Appearance of Rebellion, have Risen against the Unlawful Executioners of that Prince's Illegal and Arbitrary Commands, Our selves: Which yet rather than have Sacrificed our Laws, Liberty, Religion; all that is Valuable either as to this Life, or Another, we ought, as by our Legal Constitution we might justly have done; (For I know no Power that a British King has to Commission any Persons to Oppress the least of His Subjects,
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much less to *Enslave* the whole Nation, contrary to Law; nor are Those who Accept of such *Unlawful Commissions*, in the Eye of our Laws, ever the more *Authorized*, or *Commissioned* at all :) and when God, in such a Critical Juncture, sent us a *Deliverer*, should we have joined with the King, and his *Papish Instruments*, to fight against our Own Liberty? Should we have Reproached that *Deliverer* for one of the most Laudable and Heroical Enterprizes, that ever a Generous Prince Undertook? This was such a Contradiction to all sense of duty to Our Selves, and our Posterity, that even our (afterwards) Nonjuring *Bishops*, plainly Refused the King, at the very time of the *Invasion*, to concur in it. And as for *Inviting* the Prince to take the Government upon Him, when King *JAMES* had left Us without any *Legal Government* at all; What would they have had the Nation do? The King was Gone: The Government was *Dissolved*: All was running into *Anarchy* and *Confusion*. The People were every where up in *Numbers*; Burning, Demolishing, Destroying both the Houses and Goods of Those whom they Esteemed the Nation's Enemies. What could the *Lords* and *Commons* have done more naturally, or more Effectually, to secure the *Publick Peace*, than to desire the Prince to take the Government upon Him, till it should again be settled in a Legal Way? If this were a Crime, it was such as the Circumstances of the Nation made absolutely Necessary. But be it right or not, it was the Personal Act of Those only Who concurr'd in it; And therefore they only must Answer for it.

Or is it our Crime that when King *JAMES*, a Second time, Forsook the Realm; Dissolved the Government; Left none to take the Exercise of it
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in his Absence (Infomuch that the approaching Term could not be held ; nor any Legal Processess be made in it) The *Convention*, which was Summoned to Settle the Kingdom, Voted this *Desertion* to be an *Abdication* : And, as the necessary Consequence of that, the *Throne to be Vacant* ? And thereupon proceeded to fill it up with the next *Protestant Heirs*, (the Princess of *Denmark* agreeing that the Prince of *Orange* should be placed before Her) King WILLIAM and Queen MART ? But, Supposing Those who were of that Opinion, to have been Mistaken ; That it was not truly an *Abdication* ; nor ought to have had such an Advantage taken of it ; yet still They who Voted this, must here again Answer to God for it ; the Nation is not Responsible for their Error. And yet, I believe, it will be hard to say what an *Abdication* is, if the Forsaking of a Kingdom after such Attempts, under such Circumstances, and in such a Manner, as that Unhappy Prince did, does not Amount to One.

But, whether it were truly an *Abdication* or not, thus the Lords for Themselves, and the Commons, on the behalf of the Rest of the Kingdom, judged it ; and thereupon the King and Queen were put into the Throne ; were Crown'd ; and took Possession of the Government : And when the Convention was made a Parliament, All that had been done in the One, was confirmed by the Other ; and the Oath of Allegiance, which before had been taken to King JAMES, was Ordered to be taken to King WILLIAM and Queen MART. Here therefore I would again ask ;

When Matters were come to this pass, Was it our Fault that we Submitted to what the Convention and Parliament had done ; and took the Oath of Allegiance

legiance to the King and Queen in Possession, as we were by that Statute Required to do? Let me Appeal to All who are acquainted either with the Laws or History of our Country, Whether this had not always been accounted the *English Subjects Duty*; and Openly declared so to be; (not since the Revolution, nor to serve the Interest of That; but several Ages before any of Those who were concerned in the Revolution were Born) by the Judges and Lawyers, who Wrote, and Judged, and Determined this to be the Law; and that under the Reigns of those Princes, who had Right, as well as Possession, on their Side? I shall not need to offer any Instances in proof of this: Dr. HIGDEN has so fully and unanswerably done it, that I verily believe no One, who has duly Examined this Matter, can really doubt of the Truth of it.

And if Possession alone, by our Law, Determines Our Allegiance to the Prince who sits upon the Throne, surely the Continuance of that Possession for so many Successive Reigns, during the Course of Eight and Twenty Years, will add yet more Strength to the Right of the peaceable, and Settled Possessor: And give Him such a Title, as not only the Law of ENGLAND, but the Laws of all Nations, direct Every People to Acquiesce in. And, upon such Revolutions, either there never must be a Settlement again at all; nor Subjects ever any more live in Peace; Or it must be granted, that it is their Duty to Submit to those Princes whom the Providence of God has set over Them; and Supported so many Years in the Enjoyment of the Crown, against all the Powers of their Enemies: Without Enquiring into their Rights, which the People, for the most part, are very unfit, nor would it become them, to judge

judge of. And in this, I conceive, We have not only the *Laws of Men*, but the *Precepts of the Gospel*, on our Side; in those Passages which chiefly prescribe the Duty of *Subjects to the Higher Powers*.

There is therefore neither *Perjury* nor *Rebellion* in what we do, in paying Our *Allegiance* to the *present Government*, and readily taking those *Oaths* which it Requires of us. As for the Case of *Separation from Our Communion in Church Matters*; Let me farther Ask Those who lay any blame to Us on that Account,

Was it any *New Thing*, first begun upon the *Revolution*, to Require *Oaths of Allegiance* from the *Subject to His King*? Or was not the *Crown* in Possession of such a Demand long before? Had not our *Princes*, at least from the time of King *JAMES* the First, constantly imposed the like *Oaths*? And were They ever blamed for imposing of Them?

If it be the *Penalty* They Except against; the same Questions Recurr upon Them. Were not *Oaths* before Exacted; and Other Duties Required of the Clergy, under the *Penalty* of a *Deprivation ipso facto*? Did not Queen *ELIZABETH* upon the like Clause of One of Her *Acts of Parliament*, Deprive about *fourteen Bishops* who refused to take the *Oath of Supremacy*; besides Many of the *Inferior Clergy*, who lost their *Preferments* on the same Account? Were not Those, whom King *CHARLES* the II^d at his Return found in Possession of the *Parochial Churches* of the *Realm*, Deprived by the like Clause in our *Act of Uniformity*? And yet no Exception taken either by our first *Reformers* under the *Queen*, Or by our Own *Bishops and Clergy*, under the *King*; as if any thing had been hereby Attempted contrary to the *Laws of*

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the *Gospel*, or the *Rights* of the *Christian Church*. And how then comes that now, in this One Case only, to be so great a Crime, as even to warrant a *Separation* from our *Establish'd Church*, which neither Our *Ancestors* thought any fault at all, in the Case of the *Popish Bishops* and *Clergy*; nor *We our Selves* ever complained of, when it was to turn the *Dissenters* out of their Churches, and bring those of Our Own Communion into their Places.

Has the *Law of God* any where tied up the Hands of the *Christian Magistrate*, that he should not have Power to demand an *Oath of Fidelity* of his *Bishops* and *Clergy*, as well as of the *Laitie*? Has it Restrained Him from *Depriving* Them of the Privilege of *Publick Ministering* within his Territories, if They shall Refuse to take such an Oath, when Required of Them? Nay rather, Has it not Com-manded All, both *Clergy* and *Laitie*, to be *Subject to the Higher Powers*, and either to do what those *Higher Powers* Enjoyn, Or to Submit to what they Inflict? Which how those can pretend to do, Who instead of Submitting quietly to the Sentence of the Law, disturb Heaven and Earth; Raise *Schisms* and *Factions* in the One, and call for *Vengeance* from the Other, upon All that will not run into the same Excess of Fury and Madness with Themselves; I shall leave the warmest of these Men, in their Cooler Hours, to Consider.

If being destitute of all Relief from the *Law of God*, Or the *Commands* of *Christ* and his *Apostles*; They shall Retire for Shelter to the *Opinions of Men*, Or the *Canons* of *foreign Churches*; let me once more ask: Whether They do in their Consciences think such *Opinions*, or such *Definitions*, ought to be of any force with Us, when they run counter to
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the *Laws* of the *Realm*, and the *Prerogative* of the *Crown*? Which should the *English Subject* rather follow; the *Commands* of Those whom *God* requires Us to Obey, Or the *Opinions* of Those who have no Power, no Authority over Us, to which either *God*, or *Man*, obliges us to be Subject.

I heartily wish, that all Those who have hitherto either been Mistaken Themselves in these matters, or have Misled Others, would calmly and impartially Consider these things; and see, Whether they can indeed justify Themselves, in the part They have had both in Raising, and Keeping Up such fatal *Divisions* and *Schisms* in our Church and State: That they would Examine Our Reasons; and judge more equitably of our Proceedings: That they would, at least, Believe Us, when we assure Them, in the presence of *God*, and before the face of Mankind, that we are fully and clearly persuaded, that in what we have heretofore done, or still continue to do, with regard to the Publick, We have neither been Guilty of *Rebellion*, nor *Perjury*, nor *Schism*; nor given just Occasion to Any to *Separate from Our Communion*; much less to lay such heavy Crimes to Our Charge.

But if this be a favour we must not expect from Them, Let me, at least, beseech all Others, who have any Regard left to the Peace and Welfare of their Country, to take heed how they Enter into any such desperate and destructive Measures with Them, as can End in Nothing, but either *their Own*, or the *Publick Ruin*. We have *Truth*, We have *Right*, We have the *Laws of God* and *Man* on our Side: All these plead for, and Require, our *Loyalty to our King*; Our *Stedfast Communion* with the *Establish'd Church*;
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Our Love, and Peace, and Charity, towards Each Other. If we faithfully fulfil these Obligations, and stand fast in that Liberty with which the Divine Providence hath so eminently concurr'd to make us free; We shall then be secure, in despite of all that our Enemies can do to disturb our Repose. But if, instead of such a Firmness, we shall suffer our selves to be either Affrighted, or Deluded, out of our own Happiness; and joyn with Them to Restore that Tyranny, Slavery, and Idolatry, which we have so narrowly escaped; Our last State will be worse than our first. We shall pay severely for all the Troubles, and Dangers, and Losses, to which we have, for so many Years, Exposed a Furious Party: Which even now knows not how to Observe any Measures of Truth or Justice, Mercy or Charity, with Us; And, if ever They get the better of Us, will set no Bounds, either to their Own Malice, or to our Misery.

F I N I S.

E R R A T A.

PAG. 9. lin. 18. for *made* of our Rights, r. *made* at our Rights. Pag. 27. lin. ult. for *Argument*, r. *Argument's*. Pag. 29. lin. 10. for *henceforth*, r. *thenceforth*. Pag. 31. lin. 22. for *Friends*, r. *Enemies*. Pag. 49. lin. 10. for *since passing*, r. *since the passing*.

